

STATE OF SOUTH CAROLINA

(Caption of Case)

Certification of the Use of Universal Service Funds  
pursuant to 47 C.F.R. §54.314 and  
Telecommunications Act §254(e) CC Docket No. 96-  
45

BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA

COVER SHEET

DOCKET

NUMBER: 1997 - 239 - C

ORIGINAL

JUL 17 2000

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(Please type or print)

Submitted by: Scott Elliott

SC Bar Number: 1872

Address: 721 Olive Street

Telephone: 803-771-0555

Columbia, SC 29205

Fax: 803-771-8010

Other: \_\_\_\_\_

Email: sellott@elliottlaw.us

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

**DOCKETING INFORMATION** (Check all that apply)

- ☐ Emergency Relief demanded in petition ☐ Request for item to be placed on Commission's Agenda expeditiously
- ☐ Other: \_\_\_\_\_

**INDUSTRY (Check one)**

**NATURE OF ACTION (Check all that apply)**

- |  |  |  |  |
|--|--|--|--|
| <input type="checkbox"/> Electric                      | <input type="checkbox"/> Affidavit                 | <input type="checkbox"/> Letter                            | <input type="checkbox"/> Request                   |
| <input type="checkbox"/> Electric/Gas                  | <input type="checkbox"/> Agreement                 | <input type="checkbox"/> Memorandum                        | <input type="checkbox"/> Request for Certificatio  |
| <input type="checkbox"/> Electric/Telecommunications   | <input type="checkbox"/> Answer                    | <input checked="" type="checkbox"/> Motion                 | <input type="checkbox"/> Request for Investigation |
| <input type="checkbox"/> Electric/Water                | <input type="checkbox"/> Appellate Review          | <input type="checkbox"/> Objection                         | <input type="checkbox"/> Resale Agreement          |
| <input type="checkbox"/> Electric/Water/Telecom.       | <input type="checkbox"/> Application               | <input type="checkbox"/> Petition                          | <input type="checkbox"/> Resale Amendment          |
| <input type="checkbox"/> Electric/Water/Sewer          | <input type="checkbox"/> Brief                     | <input type="checkbox"/> Petition for Reconsideration      | <input type="checkbox"/> Reservation Letter        |
| <input type="checkbox"/> Gas                           | <input type="checkbox"/> Certificate               | <input type="checkbox"/> Petition for Rulemaking           | <input type="checkbox"/> Response                  |
| <input type="checkbox"/> Railroad                      | <input type="checkbox"/> Comments                  | <input type="checkbox"/> Petition for Rule to Show Cause   | <input type="checkbox"/> Response to Discovery     |
| <input type="checkbox"/> Sewer                         | <input type="checkbox"/> Complaint                 | <input type="checkbox"/> Petition to Intervene             | <input type="checkbox"/> Return to Petition        |
| <input checked="" type="checkbox"/> Telecommunications | <input type="checkbox"/> Consent Order             | <input type="checkbox"/> Petition to Intervene Out of Time | <input type="checkbox"/> Stipulation               |
| <input type="checkbox"/> Transportation                | <input type="checkbox"/> Discovery                 | <input type="checkbox"/> Prefiled Testimony                | <input type="checkbox"/> Subpoena                  |
| <input type="checkbox"/> Water                         | <input type="checkbox"/> Exhibit                   | <input type="checkbox"/> Promotion                         | <input type="checkbox"/> Tariff                    |
| <input type="checkbox"/> Water/Sewer                   | <input type="checkbox"/> Expedited Consideration   | <input type="checkbox"/> Proposed Order                    | <input type="checkbox"/> Other:                    |
| <input type="checkbox"/> Administrative Matter         | <input type="checkbox"/> Interconnection Agreement | <input type="checkbox"/> Protest                           |  |
| <input type="checkbox"/> Other:                        | <input type="checkbox"/> Interconnection Amendment | <input type="checkbox"/> Publisher's Affidavit             |  |
|  | <input type="checkbox"/> Late-Filed Exhibit        | <input type="checkbox"/> Report                            |  |

ORIGINAL

193954

ELLIOTT & ELLIOTT, P.A.

ATTORNEYS AT LAW

721 OLIVE STREET

COLUMBIA, SOUTH CAROLINA 29205

[selliott@elliottlaw.us](mailto:selliott@elliottlaw.us)

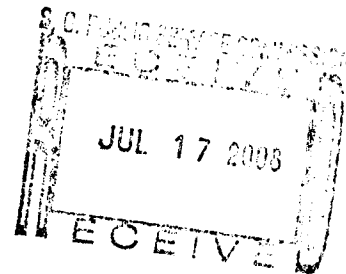
SCOTT ELLIOTT

TELEPHONE (803) 771-0555

FACSIMILE (803) 771-8010

July 16, 2008

Charles L. A. Terreni, Esquire  
Chief Clerk and Administrator  
Public Service Commission of South Carolina  
101 Executive Center Dr., Suite 100  
Columbia, SC 29210



RE: Certification of the Use of Universal Service Funds Pursuant to 47 C.F.R.  
§54.134 and Telecommunications Act §254(e) CC Docket No. 96-45  
Docket No.: 1997-239-C

Dear Mr. Terreni:

✓ Enclosed please find for filing an original and ten copies of a Motion for Admission *Pro Hac Vice* in the above referenced matter. I have also included an extra copy, which I would ask you to date stamp and return to me in the enclosed stamped, self-addressed envelope.

If you have any questions or I can be of further assistance, please do not hesitate to contact me.

Sincerely,

ELLIOTT & ELLIOTT, PA

  
Scott Elliott

SE/jcl

Enclosures

cc: All parties of record w/enc.

ORIGINAL

BEFORE THE  
PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA  
DOCKET NO. 1997-239-C

IN THE MATTER OF: )  
 )  
Certification of the Use of Universal )  
Service Funds pursuant to 47 C.F.R. )  
§54.134 and Telecommunications )  
Act §254(e) CC Docket No. 96-45 )

MOTION FOR ADMISSION  
*Pro Hac Vice*

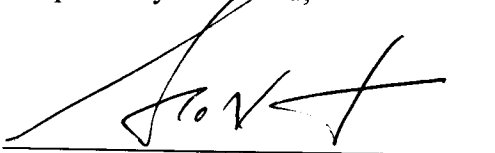
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United Telephone Company of the Carolinas d/b/a Embarq (Embarq) hereby moves the Public Service Commission of South Carolina ("Commission") to permit Susan S. Masterton, Esquire to practice pro hac vice before the Commission in the above-captioned matter.

Pursuant to SCACR 404, Ms. Masterton, together with counsel of record Scott Elliott, have filed a *Verified Application for Admission Pro Hac Vice* with the South Carolina Supreme Court for this case. Attached hereto is a stamped copy of the Verified Application as filed with the Supreme Court.

WHEREFORE, as the provisions set forth in SCARC 404 have been satisfied, United Telephone Company of the Carolinas d/b/a Embarq (Embarq) requests this motion be granted.

Respectfully submitted,



July 16, 2008

Scott Elliott, Esquire  
ELLIOTT & ELLIOTT, P.A.  
721 Olive Street  
Columbia, South Carolina 29205  
Telephone: 803-771-0555

Counsel for United Telephone Company of the  
Carolinas d/b/a Embarq (Embarq)

**VERIFIED APPLICATION FOR ADMISSION *PRO HAC VICE*  
IN THE STATE OF SOUTH CAROLINA**

Proceeding to Establish Guidelines  
for an Intrastate Universal Service Fund (USF)

1997-239-C

South Carolina Public  
Service Commission

Plaintiff

Case No.

Court

vs.

Mailing Address of Court: Post Office Box 11649

Columbia, South Carolina 29210

Defendant

Comes now Susan Spingler Masterton, applicant herein, and respectfully represents the following:

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JUL 16 2008

**S.C. SUPREME COURT**

1. Applicant resides at:  
930 Maplewood Avenue

Street Address

Tallahassee

Leon

Florida

32303

City

County

State

Zip Code

850-385-3120

Telephone

2. Applicant is an attorney and a member of the law firm of (or practices law under the name of)  
Embarq, with offices at, at  
1313 Blair Stone Road

Street Address

Tallahassee

Leon

Florida

32301

City

County

State

Zip Code

850-599-1560

Telephone

850-878-0777

Fax Number

3. Applicant has been retained personally or as a member of the above named law firm by  
Embarq to provide legal representation in connection with the above case now  
pending before the above named court of the State of South Carolina.

4. Since September of 1985, applicant has been, and presently is, a  
member in good standing of the bar of the highest court of the District of Columbia or the State of Florida  
where applicant regularly practices law. Attached is a certificate of good standing.

5. Applicant has been admitted to practice before the following courts: (List all of the following courts  
applicant has been admitted to practice before: United States District Courts; United States Circuit Courts of Appeals; the  
Supreme Court of the United States; and courts of other states or the District of Columbia.)

Court:

Date Admitted:

Florida Supreme Court	September 1985

Applicant is presently a member in good standing of the bars of those courts listed above, except as listed below:  
(List any court named in the preceding paragraph that applicant is no longer admitted to practice before.)

N/A

6. Applicant presently is not subject to any suspension or disbarment proceedings, and has not been formally notified of any complaints pending before a disciplinary agency, except as provided below (give particulars, e.g., jurisdiction, court, date):

N/A

7. Applicant never has had any application for admission *pro hac vice* in this or any other jurisdiction denied or any *pro hac vice* admission revoked, except as provided below (give particulars, e.g., date, court, docket number, judge, circumstances; attach a copy of any order of denial or revocation):

N/A

8. Applicant never has had any certificate or privilege to appear and practice before any administrative body suspended or revoked, except as provided below (give particulars, e.g., date, administrative body, date of suspension and reinstatement):

N/A

9. Local counsel of record associated with applicant in this case is Scott Elliot, of the  
Elliott & Elliot law firm, which has offices at:  
721 Olive Street  
Street Address  
Columbia Richland South Carolina 29205  
City County State Zip Code  
803-771-0555  
Telephone

If applicable list all other firms/attorneys you are associated with in this matter

N/A

10. Applicant has previously filed an application to appear *pro hac vice* in the following South Carolina cases (give case name and status of litigation, date of application, local counsel of record in each case, and state whether application is pending or was granted).

N/A

11. Applicant agrees to comply with the applicable statutes, laws and rules of the State of South Carolina and will familiarize him/herself with and comply with the South Carolina Rules of Professional Conduct. Applicant consents to the jurisdiction of the South Carolina courts and Commission on Lawyer Conduct.

12. Applicant respectfully requests to be admitted to practice in the above named court for this case only.

DATED this 11<sup>th</sup> day of July, 2008

Shan Singh  
APPLICANT

VERIFICATION

STATE OF Florida )

COUNTY OF Leon )

I, Susan Spingler Masterton, do hereby swear or affirm under penalty of perjury that I am the applicant in the above styled matter; that I have read the foregoing application and know the contents thereof; and that the contents are true of my own knowledge, except as to those matters stated on information and belief, and that as to those matters I believe them to be true.

Susan Spingler Masterton  
APPLICANT/AFFIANT

Subscribed and sworn to before me this 11<sup>th</sup> day of July, 2008.

Roberta G. Cooper

Notary Public for the State of Florida

My Commission Expires: 3/16/12



LOCAL COUNSEL CONSENT

I hereby consent, as local counsel of record, to the association of applicant in this cause pursuant to Rules Governing Admission *Pro Hac Vice* to the South Carolina Bar.

DATED this 16<sup>th</sup> day of July, 2008

[Signature]  
LOCAL COUNSEL OF RECORD

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of this application upon the South Carolina Supreme Court by mail addressed to: South Carolina Supreme Court Office of Bar Admissions, PO Box 11330, Columbia, SC 29211, accompanied by payment of the \$250 filing fee payable to the South Carolina Supreme Court on this 16<sup>th</sup> day of July, 2008.

[Signature]  
APPLICANT/AFFIANT



# The Florida Bar

JOHN F. HARKNESS, JR.  
EXECUTIVE DIRECTOR

651 EAST JEFFERSON STREET  
TALLAHASSEE, FLORIDA 32399-2300

850/561-5600  
WWW.FLORIDABAR.ORG

State of Florida )

County of Leon )

In Re: 494224  
Susan Spingler Masterton  
Embarq  
1313 Blairstone Rd.  
Tallahassee, FL

I HEREBY CERTIFY that I am the duly appointed custodian of membership records of The Florida Bar.

I FURTHER CERTIFY that the records in the office of the Clerk of the Supreme Court of Florida indicate that said attorney was admitted to practice law in the State of Florida on September 19, 1985.

I FURTHER CERTIFY that the records in the office of The Florida Bar indicate that the above attorney is a member of The Florida Bar in good standing.

Dated this 30th day of June, 2008.

Willie Mae Shepherd  
Supervisor, Membership Records  
The Florida Bar

WMS/KLF5:R10



# The Florida Bar

JOHN F. HARKNESS, JR.  
EXECUTIVE DIRECTOR

651 EAST JEFFERSON STREET  
TALLAHASSEE, FLORIDA 32399-2300

850/561-5600  
WWW.FLORIDABAR.ORG

State of Florida )

County of Leon )

In Re: 494224  
Susan Spingler Masterton  
Embarq  
1313 Blairstone Rd.  
Tallahassee, FL

C I HEREBY CERTIFY that I am the duly appointed custodian of membership records of The  
O Florida Bar.

P I FURTHER CERTIFY that the records in the office of the Clerk of the Supreme Court of  
Y Florida indicate that said attorney was admitted to practice law in the State of Florida on  
September 19, 1985.

I FURTHER CERTIFY that the records in the office of The Florida Bar indicate that the above  
attorney is a member of The Florida Bar in good standing.

Dated this 30th day of June, 2008.

Willie Mae Shepherd  
Supervisor, Membership Records  
The Florida Bar

WMS/KLF5:R10



CERTIFICATE OF SERVICE

I hereby certify that I have served one copy of Motion for Admission Pro Hac Vice, in Docket No. 97-239-C on behalf of United Telephone Company of the Carolinas d/b/a Embarq on all below listed parties to this proceeding by depositing a copy addressed to each in the United States Mail, first-class postage prepaid.

Sonia Daniels, Regulatory Specialist  
AT&T Communications of the Southern States  
Southern Region - AT&T External Affairs  
1230 Peachtree, 4th Floor  
Atlanta, GA, 30309

Patrick Turner, Counsel  
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John F. Beach, Counsel  
Ellis, Lawhorne & Sims, P.A.  
Post Office Box 2285  
Columbia, SC, 29202

Anthony Mastando  
Senior Manager/Regulatory Attorney  
ITCDeltaCom Communications  
7037 Old Madison Pike, Suite 400  
Huntsville, AL, 35806

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SC Office of Info. Resources  
Budget & Control Board  
Davis Law Firm  
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Ridgeway, SC 29130

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Sowell Gray Stepp & Laffitte, LLC  
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Columbia, SC, 29211

Zel Gilbert, Director External Affairs  
Embarq  
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Columbia, SC, 29201

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Suite 2200  
Atlanta, GA, 30303

Stan J. Bugner  
State Director/Regulatory & Government Affairs  
Verizon Telecommunications, Inc.  
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Columbia, SC, 29201

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John M.S. Hoefer, Counsel  
Willoughby & Hoefer, P.A.  
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Ross Allen Buntrock, Counsel  
Womble Carlyle Sandridge & Rice, PLLC  
1401 Eye Street, Seventh Floor  
Washington, DC, 20005

Susan B. Berkowitz, Sr. Mgr./Regulatory Attorney  
Women's Shelter  
SC Appleseed Legal Justice Center  
P.O. Box 7187  
Columbia, SC, 29202

John J. Pringle, Jr., Counsel  
Ellis, Lawhorne & Sims, P.A.  
Post Office Box 2285  
Columbia, SC, 29202

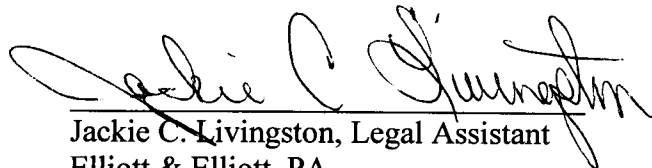
Burnet R Maybank, III , Counsel  
Nexsen Pruet, LLC  
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Columbia, SC, 29202

John F. Beach, Counsel  
Ellis, Lawhorne & Sime, P.A.  
P. O. Box 2285  
Columbia, SC 29202

J. Phillips Carver, Counsel  
AT&T  
675 West Peachtree St., N.E.  
Atlanta, GA 30375

Susan S. Masterton, Counsel  
Embarq  
1313 Blair Stone Road  
Tallahassee, FL 32301

This 16<sup>th</sup> day of July, 2008.

A handwritten signature in cursive script, reading "Jackie C. Livingston", written over a horizontal line.

Jackie C. Livingston, Legal Assistant  
Elliott & Elliott, PA  
721 Olive Street  
Columbia, SC 29205  
803-771-0555